



[EPA-HQ-OA-2013-0320; FRL-11531-01-OA]

## **Public Comment on the Revised Technical Guidance for Assessing Environmental Justice in Regulatory Analysis**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of public comment period.

**SUMMARY:** The Environmental Protection Agency (EPA) is announcing a 60-day public comment period on the draft revision of the *Technical Guidance for Assessing Environmental Justice in Regulatory Analysis* (EJ Technical Guidance). The EJ Technical Guidance was first published in 2016. The EPA is updating it to reflect the state of the science; new peer-reviewed agency guidance; and new terminology, priorities, and direction, including Executive Order 14096. The purpose of this guidance is to outline analytic expectations and discuss technical approaches and methods that can be used by agency analysts to evaluate EJ concerns for regulatory actions. This technical guidance builds on the EPA's experience in evaluating environmental justice concerns within the rulemaking analytic process and underscores the EPA's ongoing commitment to ensuring the just treatment and meaningful involvement of all people with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

**DATES:** Comments must be received on or before **January 15, 2024**.

**ADDRESSES:** You may send comments, identified by Docket ID No. EPA-HQ-OA-2013-0320, by any of the following methods:

- Federal eRulemaking Portal: <https://www.regulations.gov/> (our preferred method). Follow the online instructions for submitting comments.
- Mail: U.S. Environmental Protection Agency, EPA Docket Center, Office of Policy, Docket, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington,

DC 20460.

- Hand Delivery or Courier: EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue, NW, Washington, DC 20004. The Docket Center's hours of operations are 8:30 a.m. – 4:30 p.m., Monday – Friday (except Federal Holidays).

*Instructions:* All submissions received must include the Docket ID No. for this rulemaking. Comments received may be posted without change to <https://www.regulations.gov/>, including any personal information provided. For detailed instructions on sending comments and additional information on the rulemaking process, see the “Public Participation” heading of the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Dr. Ann Wolverton, National Center for Environmental Economics, Office of Policy (Mail Code 1809A), Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20460; telephone number: 202-566-2278; email address: [Wolverton.ann@epa.gov](mailto:Wolverton.ann@epa.gov).

## **SUPPLEMENTARY INFORMATION:**

### **I. Public Participation.**

#### *A. Informational Webinars*

The EPA will host two informational webinars on the draft revised technical guidance.

- Wednesday, December 6, 2:30–4:00 p.m. EST: To join the live event, see the weblink at: <https://www.epa.gov/environmental-economics/epa-draft-revision-technical-guidance-assessing-environmental-justice>  
To join by phone: +1 202-991-0477, Conference ID: 197 258 337#
- Tuesday, December 12, 3:00-4:30 p.m. EST: To join the live event, see the weblink at: <https://www.epa.gov/environmental-economics/epa-draft-revision-technical-guidance-assessing-environmental-justice>

To join by phone: +1 202-991-0477, Conference ID: 398 827 52#

## *B. Written Comments*

Submit your comments, identified by Docket ID No. EPA–HQ–OA–2013– 0320, at <https://www.regulations.gov> (our preferred method), or the other methods identified in the **ADDRESSES** section. Once submitted, comments cannot be edited or removed from the docket. The EPA may publish any comment received to its public docket. Do not submit to EPA’s docket at <https://www.regulations.gov> any information you consider to be Confidential Business Information (CBI), Proprietary Business Information (PBI), or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (i.e., on the web, cloud, or other file sharing system). Please visit <https://www.epa.gov/dockets/commenting-epa-dockets> for additional submission methods; the full EPA public comment policy; information about CBI, PBI, or multimedia submissions; and general guidance on making effective comments.

## **II. General Information**

### *A. Where can I find the document?*

The draft revision of the *Technical Guidance for Assessing Environmental Justice in Regulatory Analysis* is available at <https://www.epa.gov/environmental-economics/epa-draft-revision-technical-guidance-assessing-environmental-justice>.

### *B. What is the purpose of the document?*

The *Technical Guidance for Assessing Environmental Justice in Regulatory Analysis* (Guidance) addresses the issue of how to analytically consider environmental justice in regulatory analyses. It directs EPA analysts to assess whether environmental justice

concerns exist prior to the rulemaking and whether such concerns are likely to be exacerbated or mitigated for each regulatory option under consideration. The technical guidance makes recommendations designed to ensure greater consistency across EPA assessments of EJ concerns for regulatory actions. The recommendations encourage analysts to conduct the highest quality analysis feasible, recognizing that data limitations, time and resource constraints, and analytic challenges will vary by media and circumstance. They are not designed to be prescriptive and do not mandate the use of a specific approach. Updates to the technical guidance reflect advancements in the state of the science; other new peer-reviewed Agency guidance documents; and new priorities and direction related to the conduct of environmental justice analysis, including Executive Order 14096. The technical guidance builds on the EPA's experience in evaluating environmental justice as part of the rulemaking analytic process and underscores the EPA's ongoing commitment to ensuring the just treatment and meaningful involvement of all people with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. The technical guidance will enable the EPA to conduct better analysis of regulations which will ultimately enable the EPA to make better decisions.

*C. How will my comments be used?*

Public comment received on the draft revision of the *Technical Guidance for Assessing Environmental Justice in Regulatory Analysis* will be reviewed and considered for incorporation into or modification of text in the final revised draft of the Guidance. The final draft Guidance will then undergo internal EPA review and revision, and then be finalized for publication following peer review by the EPA's Science Advisory Board. An EPA Science Advisory Board (SAB) review of this document will be announced in December 2023. Information on the SAB review can be found here:

[https://sab.epa.gov/ords/sab/r/sab\\_apex/sab/home](https://sab.epa.gov/ords/sab/r/sab_apex/sab/home).

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**Victoria Arroyo,**

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